



What is cloud computing?
Utilizing technology "in the cloud" generally refers to storing and accessing data and programs over the Internet, instead of on a computer's hard drive. The "cloud" is a metaphor for the Internet.

SB 599 (2014): Prohibits a cloud computing service provider that enters a contract with a local school board from using the cloud computing services for any secondary purpose that benefits the provider or a third party -- such as advertising, profiling, or selling student data. Provider may only act in accordance with the terms of its contract.

Relevant Federal & State Law

Family Educational Rights and Privacy Act (FERPA)

- 1974 federal law
- Generally requires parental consent for release of student records to 3d parties

Children's Online Privacy Protection Act (COPPA)

- Requires a website to obtain parental consent for participation of child under age 13

"Pupil Records"

Article 5 of Chapter 14 of Title 22.1 of the Code of Virginia

- Generally mirrors FERPA

Other States

Over 100 pieces of legislation have been introduced to address issues relating to student data and records

To date, legislation has been enacted in at least nine states: Idaho, Kentucky, Louisiana, Massachusetts, Missouri, North Carolina, New York, Ohio, & Rhode Island

Legislation looks different in every states; some legislation is similar to SB 599; some in embedded in budget bills; some legislation reforms protection of student data generally and is not specifically tailored to cloud computing issues.

Recently introduced federal legislation would amend FERPA to provide greater transparency regarding use of cloud computing services, establish safeguards for stored information, and ban data mining for marketing or advertising purposes